UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/46/560
11 October 1991
ENGLISH
ORIGINAL: ENGLISH/FRENCH

Forty-sixth session
Agenda item 28

QUESTION OF THE COMORIAN ISLAND OF MAYOTTE

Report of the Secretary-General

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I. INTRODUCTION

1. On 1 November 1990, the General Assembly adopted resolution 45/11 on the question of the Comorian island of Mayotte. In paragraphs 5 and 6 of the resolution, the Assembly requested the Secretary-General to maintain continuous contact with the Secretary-General of the Organization of African Unity (OAU) with regard to the problem and to make available his good offices in the search for a peaceful negotiated solution to the problem, and to report on the matter to the Assembly at its forty-sixth session.

2. On 6 February 1991, the Secretary-General addressed a note verbale to the Permanent Representatives of the Comoros and of France to the United Nations, drawing their attention to the contents of resolution 45/11 and inviting them to provide him with any pertinent information for inclusion in his report to the General Assembly.

3. On 6 February 1991, the Secretary-General of the United Nations addressed a letter to the Secretary-General of OAU, drawing his attention to paragraph 5 of resolution 45/11, and requesting information on any action undertaken by OAU in the search for a peaceful negotiated solution to the problem.

4. In accordance with paragraph 6 of resolution 45/11, the present report, based on the replies received from the Permanent Mission of France to the United Nations, the Permanent Mission of the Comoros to the United Nations and OAU, is submitted to the General Assembly.

II. INFORMATION RECEIVED FROM THE PERMANENT MISSION OF FRANCE TO THE UNITED NATIONS

5. On 17 September 1991, the Permanent Mission of France to the United Nations addressed a note verbale to the Secretary-General, the text of which read as follows:

> "Since the enactment of Law No. 76-12 of 24 December 1976, Mayotte has the status of a territorial collectivity of the Republic. This special status, acquired by the island under the provisions of a law voted by the French Parliament, does not close the door to any future development.
>
> "The climate of confidence which has been established between the Comoros and France has made possible the pursuit of a dialogue between the two Governments. In the same spirit, the President of the Republic, speaking for France, has declared that France is willing to seek conditions for a solution to the problem of Mayotte, subject to the requirements of its own national law and those of international law.
>
> "France remains prepared to contribute to a just and lasting solution consonant with its Constitution and respecting the wishes of the

peoples concerned. Accordingly, a continuing and constructive dialogue is being maintained at the highest level with the Islamic Federal Republic of the Comoros, as evidenced by the visit to France of President Djohar in May 1991."

III. INFORMATION RECEIVED FROM THE PERMANENT MISSION OF THE COMOROS TO THE UNITED NATIONS

6. In a letter dated 9 September 1991, addressed to the Secretary-General, the Permanent Mission of the Comoros to the United Nations submitted the following information on the question:

"The Comoro archipelago, a former French colony made up of four islands (Anjouan, Grande-Comore, Mayotte and Mohéli), acceded to independence on 6 July 1975.

"Independence gave birth to the Islamic Federal Republic of the Comoros, which became a Member of the United Nations by General Assembly resolution 3385 (XXX) of 12 November 1975. The Islamic Federal Republic of the Comoros is recognized by the international community as a whole as an independent State composed, by virtue of the principle of the inviolability of the frontiers inherited from colonialism, of the four islands named above.

"Despite this resolution and all those adopted to this effect by the international community as a whole, the former colonial Power continues to maintain its administration on the Comorian island of Mayotte.

"No solution has to date been found to this question, although the General Assembly of our Organization is about to debate it for the sixteenth year in succession.

"In the search for a settlement of the problem, the Comorian Government has constantly favoured dialogue and agreement in conformity with the principles of the Charter of the United Nations and the recommendations of international organizations, which invite the parties to the dispute to engage in talks with a view to arriving at a speedy and satisfactory solution.

"The tragic events that took place in the Comoros in November 1989 led to the convening of a round table at which representatives of all shades of political opinion in the country unanimously reaffirmed that Mayotte belongs to the Islamic Federal Republic of the Comoros, and called for its reintegration into the body politic.

"After his election, and following his meetings in Paris and at Moroni with the President of the French Republic, President Said Mohamed Djohar reaffirmed his will to resolve this distressing problem. To this end, he announced his new approach

comprising tripartite discussion involving the French and Comorian authorities, as well as the people of Mayotte.

"Replying to the Comorian President in this connection, President Mitterrand recognized, on the occasion of his official visit to Moroni in June 1990, that a concrete and pragmatic approach must be taken to resolve this unfortunate disagreement.

"At the Summit of Heads of State Members of the Indian Ocean Commission, the Comorian Head of State took advantage of the presence of the then French Prime Minister to readdress the issue.

"The willingness of both the French and Comorian sides to engage in a dialogue must be supported by the international community at large and the United Nations in particular in order to ensure that the numerous resolutions on the subject are finally implemented and that a just and lasting solution to the problem is found.

"The twenty-seventh ordinary session of the Conference of Heads of State and Government of OAU, held at Abuja, Nigeria, further considered the problem - as it does at each of its sessions - and adopted a resolution reaffirming the sovereignty of the Islamic Federal Republic of the Comoros over the Comorian island of Mayotte.

"Despite the solidarity and support thus extended by international bodies in this affair, scarcely any progress has been made in practical terms.

"For this reason, the Comorian Government wishes once again to call upon the Secretary-General to use his good offices and continue his role of mediator with a view to bringing the two parties together in the search for a just and equitable settlement that respects the territorial integrity and sovereignty of the Islamic Federal Republic of the Comoros."

IV. INFORMATION PROVIDED BY THE ORGANIZATION OF AFRICAN UNITY

7. In a note verbale dated 10 October 1991 addressed to the United Nations Secretariat, the Executive Secretariat of OAU forwarded the text of a resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-seventh ordinary session held in Abuja, Nigeria, from 3 to 5 June 1991, the operative paragraphs of which read in part as follows:

"The Assembly of Heads of State and Government of the Organization of African Unity,

"...

"2. Reaffirms the sovereignty of the Islamic Federal Republic of the Comoros over the island of Mayotte;

"3. Reaffirms its solidarity with the people of Comoros in their determination to recover the political integrity of their country to defend its sovereignty and its territorial integrity;

"4. Launches an appeal to the French Government to meet the legitimate demands of the Government of the Comoros in accordance with the relevant resolutions of the OAU, the United Nations, the Movement of Non-Aligned Countries, the Islamic Conference and the League of Arab States;

"5. Calls upon OAU member States to do everything possible individually and collectively to alert the French and international public opinion to the question of the Comorian Island of Mayotte and to compel the French Government to put an end to the occupation of Mayotte;

"6. Appeals to all OAU member States and the international community to condemn and reject outright any form of talks which could be organized by France in the Comorian Island of Mayotte on the legal international status of the Island, since the referendum on self-determination held on 22 December 1974 remains the only valid consultation on the archipelago;

"7. Further appeals to all OAU member States and the international community to condemn any initiative by France to make the Comorian Island of Mayotte participate in any event as a separate identity from the Federal Islamic Republic of the Comoros;

"8. Mandates the OAU Ad Hoc Committee of Seven on the Comorian Island of Mayotte and the General Secretariat to resume dialogue with the French authorities in their continued effort to ensure the return of the Comorian Island of Mayotte to the Islamic Federal Republic of the Comoros as soon as possible;

"9. Requests that the question of the Comorian Island of Mayotte be maintained on the agenda of all the meetings of the OAU, the United Nations, the Movement of Non-Aligned Countries, the Islamic Conference and the League of Arab States until the Comorian Island of Mayotte is reintegrated into the Islamic Federal Republic of the Comoros;

"..."

V. CONCLUSION

8. The Secretary-General has maintained close contact with all parties and has informed them of his readiness to make available his good offices in the search for a peaceful solution to the problem.